

BELMONT CONSERVATION COMMISSION
MEETING MINUTES

April 1, 2003

Members Present: M. Flamang, K. Baskin, M. Weil, J. Smith.
Associate Members Present: M. Velie.

Additional Attendees: Glenn Clancy (Belmont Office of Community Development),
Joseph Bender, Barbara Passero.

The meeting was called to order at 7:13 p.m.

Minutes

The minutes for the meeting of March 4, 2002, were submitted for approval. Someone noted that the name "Gardner" should be "Garvin" at the bottom of page one, and the phrase "but the footprint will remain basically the same" should be eliminated because it is confusing. M. Velie noted that the square footage on page two may be wrong – it should be 1650 square feet, and it should be made clear that the net decrease is a decrease of impervious area. K. Baskin pointed out that the last sentence of the preceding paragraph was inaccurate. It will be changed to read as follows: "They are providing greater than the recommended 80% removal of total suspended solids." The minutes were accepted as so revised.

Discussion of Proposed Conservation By-Law

G. Clancy first explained that Charles Hamann, chairman of the By-Law Review Committee, had suggested that the Commission consider adopting an alternative by-law (Article 12A) which is more general than our proposed by-law. It would essentially state that the Commission may make rules and regulations which are enforceable by the police and the Animal Control Officer. This would permit the Commission more flexibility in adopting any future changes, because the changes could be adopted at a public meeting held by the Commission, but would not have to be adopted by Town Meeting. The question was raised as to how we would publish our rules and regulations. K. Baskin suggested contacting the local newspaper and local citizens' groups such as the Citizens' Forum. We need this by-law primarily to enforce non-dog-related rules, because the ordinance regarding dogs is already in place. M. Weil asked how the rules could be changed. Once we adopt them, it is clear that it only requires a vote of the Commission at a public meeting to change them.

G. Clancy emphasized the need for a member of the Commission to present them at Town Meeting. M. Flamang pointed out that Town Meeting can debate the details of the by-law if we have the rules themselves set forth in the proposed by-law. K. Baskin noted that there is not a lot in the rules that would be political or controversial and therefore a target for change by future Commissions. M. Weil stated that the more general form of

by-law would enable the Commission to adopt rules that will govern land other than conservation land, such as resource areas. G. Clancy noted that Bob Morrissey's opinion states that, when Rock Meadow was deeded to the Town, Town Meeting specifically voted to give the Commission jurisdiction over it. M. Flamang proposed that the Commission change our request to the By-Law Review Committee so that we are requesting the more general form of by-law (proposed Article 12A). His proposal was adopted by vote of the Commission. K. Baskin will present the proposed by-law at Town Meeting. G. Clancy suggested that we then re-name our former proposed by-law "Rock Meadow Rules and Regulations."

Proposed Alteration of Driveway Surface – 150 Somerset Street DEP#106-0030 (8:00)

The owners of 150 Somerset Street had originally planned a pea stone drive, but the contractor has advised that this will not work because it will wash away in the rain. Now they propose to use an aggregate asphalt instead, which is impermeable material. This is not in the buffer zone. Using the pea stone was not something that the Commission had originally required. The owners had offered to do it. It is the consensus of the Commission that the change is not a problem.

Proposed Rock Meadow Use and Management Plan (8:10)

M. Flamang announced that discussion of the proposed plan will be deferred until the next month's meeting. He will attempt to incorporate members' comments to date prior to that meeting.

Next month's meeting will also include an addition to a building on Leonard Street, a Sandrick Road property, some work at the McLean Hospital driveway on Mill Street and the renewal of an Order of Conditions with respect to the cemetery land at McLean.

Old Business – Junction Brook

G. Clancy announced that the adjudicatory judge in charge of the Junction Brook case has requested that the parties submit more information relating to the segmenting of the stream, such that part of the stream could be intermittent and part of it perennial. This was a result of the original applicant's request that the so-called Winter case be applied to Junction Brook. Apparently in the Winter case the stream was much longer and arose from a larger watershed.

New Business

The Commission has received an e-mail request from a Tufts professor who would like to collect soil samples at Rock Meadow. Members of the Commission expressed concern that holes may be left behind. B. Passero expressed concern that the bluebird habitat may be disrupted. If he takes the samples now, the bluebirds would not be adversely affected. G. Clancy will go back to him and ask how much soil he will remove, how many sessions it will require and whether he may be willing to do some cleanup there in exchange.

G. Clancy said that the Town needs approval for the poison ivy control plan every five years, and it will come up for approval this year. The Commission agreed that M. Flamang is authorized to review the plan and approve it if appropriate.

B. Passero stated that she could not get money from the DEP for her education program, which she had proposed take place at Rock Meadow. K. Baskin suggested that she approach the Belmont Foundation for Education funds.

The meeting was then adjourned at 8:40 p.m. The next meeting will be held at the Faculty Dining Room at Chenery Middle School on Tuesday, May 6, 2003.

Prepared by:
Johanna Smith